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VIRGINIA VALENTINE



012530

October 18, 1999

Albert Abrams Family Trust and
Seymour & Sylvia Matanky Family Trust on behalf of
Lee Mekelburg
4355 Sepulveda Boulevard #103
Sherman Oaks, California 91403-3915

RE: ABEYANCE - Z-52-99 - REZONING

Dear Applicant:

Your request for a Rezoning on property located on the east side of Durango Drive, approximately 350 feet south of Alexander Road, From: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] To: R-PD8 (Residential Planned Development - 8 Units per Acre), PROPOSED USE: 76 LOT SINGLE FAMILY SUBDIVISION, Size: 10.71 Acres, Ward 4 (Brown), APN: 138-09-101-007, was considered by the Planning Commission on October 14, 1999.

The Planning Commission voted to recommend APPROVAL of your request, subject to the following:

1. The permitted density shall be amended from R-PD8 to R-PD7.
2. A copy of the subdivision's CC&Rs shall be submitted to the City Attorney for review and approval.
3. A minimum lot width of 35 feet is required.
4. The proposed linear park feature shall be open to public access for pedestrian or bicycle use; no obstructions shall be constructed restricting such access. This trail should be constructed by the developer with the first phase of development and privately maintained by a Homeowner's Association. Coordinate with the Nevada Power Company to determine if any other access restrictions exist and if so provide a letter to the City indicating such.
5. The applicant shall obtain a letter from the Nevada Power Company indicating approval of the parking spaces proposed to be located within the power line easement.
6. The proposed site plan shall be revised to show only one vehicular crossing of the "linear park" feature running diagonally through this site, in order to minimize potential vehicle/pedestrian conflicts. In addition, such access point shall be posted with signage indicating Pedestrian Crossings as required by the Department of Public Works.

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7. The setbacks for this development are as follows: front: 15 feet, rear: 5 feet and side: 5 feet.
8. Prior to submittal of any Maps dividing this site, the site plan shall be revised to show the correct dimensions for the existing right-of-way on Durango Drive adjacent to this site, which varies from 50 feet at the south edge of this site to 62.74 feet at the north edge (per recorded document #990430:04286). In addition, there exists a curved "spandrel" area of drainage right-of-way over the box culverts at the north edge of this site. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in obtaining the precise dimensions.
9. Construct half-street improvements on Durango Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. In addition, construct widened paving from the north edge of this site northward to Alexander Road concurrent with development of this site; temporary "Goecke" paving is acceptable for this widened paving. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. All required improvements on Durango Drive shall be constructed within one year of approval of this action by the City Council. Failure to comply with this condition shall result in this action being reconsidered by the City Council.
10. Construct a minimum of paving, curb, and gutter on the private drives interior to this subdivision concurrent with development of this site as required by the Department of Public Works.
11. The proposed gated entrance shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
12. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
13. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
14. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information

provided in the approved Traffic Impact Analysis; such moneys shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, the applicant may contribute \$16,065.00 to partially fund a traffic signal system at the intersection of Alexander Road and Durango Drive prior to the issuance of building or off-site permits or the recordation of a Final Map for this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic signal moneys for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

15. Submit an Encroachment Agreement for all landscaping and private improvements located within the drainage right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.
16. Landscape and maintain all unimproved right-of-way adjacent to this site as required by the Department of Public Works.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute moneys for the construction of neighborhood or local drainage improvements. The amount of such moneys shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

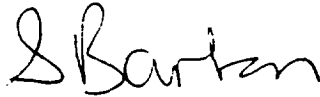
18. A Homeowner's Association shall be established to maintain all perimeter walls, private drives, landscaping and common areas created with this development.
19. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
20. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Planning Engineer or the Planning Commission prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.
21. A Resolution of Intent with a 12 month time limit.
22. All development shall be in conformance with the site plan and building elevations.
23. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or prior to occupancy, whichever occurs first.
24. All City Code requirements and design standards of all City departments must be satisfied.
25. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works.
26. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
27. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

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28. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

This item will be considered by the City Council on November 17, 1999, at 1:00 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative choose not to attend, the City Council may act in your absence without your input.

Sincerely,



Susan Barton, Planner II
Planning and Development Department
Current Planning Division

SB:sd

cc: Mr. Lee Mekelburg
3111 Belair
Las Vegas, Nevada 89109

Mr. Russell R. Sillitoe
Civiltec, Inc.
4795 South Sandhill Road
Las Vegas, Nevada 89121